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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case) (Jointly Administered)

**STIPULATION BETWEEN DEBTOR
PACIFIC GAS AND ELECTRIC
COMPANY AND MICHAEL
MARROQUIN TO CONTINUE HEARING
AND FOR LIMITED RELIEF FROM THE
AUTOMATIC STAY**

[Relates to Dkt. Nos. 4606-4610]

[Resolving Motion Set for Hearing
December 11, 2019 at 10:00 a.m.]

1 This stipulation (the “**Stipulation**”) is entered into by and between Pacific Gas and Electric
2 Company (the “**Utility**” or the “**Debtor**”), as debtor and debtor in possession, and movant Michael
3 Marroquin (“**Marroquin**”). The Debtor and Marroquin are referred to in this Stipulation
4 collectively as the “**Parties**,” and each as a “**Party**.” The Parties hereby stipulate and agree as
5 follows:

6 **RECITALS**

7 A. On November 7, 2019, Marroquin filed the *Motion to Abstain and for Relief from*
8 *the Automatic Stay to Permit Lawsuit to Proceed to Trial and Conclusion* [Dkt. 4606] (the
9 “**Motion**”).

10 B. Through the Motion, Marroquin seeks relief from the automatic stay to prosecute
11 his personal injury claims against the Utility in *Marroquin v. Pacific Gas & Electric Company et*
12 *al.*, Case No. BCV-18-100020 (the “**State Court Action**”) pending in the Superior Court of
13 California, County of Kern (the “**State Court**”).

14 C. The State Court Action arises out of injuries that Marroquin allegedly suffered
15 resulting from a May 25, 2017 automobile crash in which the other driver was an employee of the
16 Utility. The Utility’s employee is also a named defendant in the State Court Action.

17 D. Marroquin filed the State Court Action on January 4, 2018.

18 E. The Debtor and its parent, PG&E Corporation (collectively with the Utility, the
19 “**Debtors**”), filed these Chapter 11 Cases on January 29, 2019 (the “**Petition Date**”).

20 F. The Utility filed a Notice of Stay of Proceedings in the State Court Action on
21 February 11, 2019. The automatic stay applicable to the State Court Action has remained in effect
22 as to the Debtors since the Petition Date. On April 4, 2019, the State Court extended the automatic
23 stay to the Utility’s employee.

24 **NOW, THEREFORE, IT HEREBY IS STIPULATED AND AGREED BY AND**
25 **BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND THE PARTIES**
JOINTLY REQUEST THE COURT TO ORDER, THAT:

26 1. This Stipulation shall be effective upon entry of an order by this Court
27 approving it.
28

2. The hearing on the Motion (the “**Hearing**”) shall be continued to March 25, 2020 at 10:00 a.m. (Pacific Time).

3. The automatic stay shall immediately be modified, to the extent necessary, to permit the Parties to engage in settlement negotiations including, if helpful, through mediation (collectively, the “**Settlement Negotiations**”). The Parties shall use their best efforts to commence the Settlement Negotiations as promptly as possible. The automatic stay shall remain in place for all other purposes.

4. The Parties may agree in writing to one or more further continuances of the Hearing, without further order of the Court, by filing a notice of continuance. The limited stay relief provided in paragraph 3 above shall continue in effect pending the continued Hearing on the Motion.

5. If the Settlement Negotiations do not result in a settlement, the Hearing will go forward on the continued date, and the Debtors’ opposition to the Motion shall be filed and served not later than 4:00 p.m. Pacific time on the date that is five (5) calendar days before the continued Hearing date.

Dated: November 26, 2019

Dated: November 26, 2019

WEIL, GOTSHAL & MANGES LLP
KELLER & BENVENUTTI LLP

LAW OFFICES OF
LEONARD K. WELSH

/s/ Peter J. Benvenutti

Peter J. Benvenutti

/s/ Leonard K. Welsh

Leonard K. Welsh

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